

**From:** [Benton, Marvin](#)  
**To:** [Kenny, Mary Theresa](#)  
**Cc:** [Montag, Brian](#); [Nixon, Lance](#); [Johnson, Lydia](#)  
**Subject:** RE: CERCLA 104(e) Request - Cedar Chemical Corporation  
**Date:** Wednesday, February 20, 2013 4:40:42 PM

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Ms. Kenny:

I have just spoken with Mr. Lance Nixon and his supervisor Ms. Lydia Johnson about your request for a sixty (60) day extension. After speaking with Ms. Johnson, EPA will only grant Rhodia at this time a forty-five (45) day extension to April 9, 2013.

Please provide us with a response to EPA's 104(e) request by no later than April 9th. If you can not fully respond to EPA's 104(e) request please provide us with an interim response by no later than Tuesday April 9th.

Please contact me at 214-665-3190 if you have any additional concerns or questions.

Thanks,

Mr. Marvin Benton  
Senior Attorney  
US EPA Region VI

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**From:** Kenny, Mary Theresa [Mary.Kenny@klgates.com]  
**Sent:** Thursday, February 14, 2013 10:13 AM  
**To:** Benton, Marvin  
**Cc:** Montag, Brian  
**Subject:** CERCLA 104(e) Request - Cedar Chemical Corporation

Dear Marvin:

I am following up on the voicemail that I left you yesterday. As I mentioned, our firm has recently been asked by our client, Rhodia Inc. ("Rhodia"), to assist in responding to USEPA's CERCLA 104(e) request that it received in connection with the Cedar Chemical Corporation Superfund Site, located in West Helena, Arkansas (the "Site"). Rhodia received USEPA's request January 22nd, to which it has 30 days to respond. I am contacting you to request an extension of that deadline. While Rhodia has started reviewing historic business records, it is running into issues in preparing its responses mainly because it does not appear that Rhodia itself had any relationship to the Site. Rather, it appears that a company that Rhodia acquired over a decade ago had some type of business relationship with Cedar Chemical, the nature and extent of which Rhodia is currently investigating. Since Rhodia's responses necessarily concern operations of a predecessor in interest, relevant documents and information is not readily available. Also, the pending 104(e) request concerns historic operations that occurred over 20 years ago and locating responsive documents/information will require additional time and effort. Accordingly, for these reasons, we kindly request a 60 day extension for Rhodia to submit its responses to the EPA's 104(e) request.

Thank you in advance for your time and attention. We look forward to hearing from you.

Regards,  
Mary



**Mary Theresa Kenny**

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